



**Brad Erlandson
Volunteer
Michigan Affiliate of Mothers Against Drunk Driving
Before the House Insurance Committee
Testimony in Opposition of House Bill 4936
4 October 2011**

Thank you Chairman Lund and members of the committees for the opportunity to submit testimony in opposition to House Bill 4936 which restricts and infringes on the rights of victims of drunk driving crashes. My name is Brad Erlandson, volunteer, with the Michigan Affiliate of Mothers Against Drunk Driving, or MADD.

Currently, in Michigan, victims of drunk drivers and their families have the security of knowing their medical bills will be covered by no-fault insurance. House Bill 4936 will end this policy and as a result compromise infringe on the rights of victims of drunk driving crashes.

On April 26, 2002, a drunk driver, three times the illegal limit and a three time offender, struck me head-on. As a 43 year old father of two, I sustained multiple injuries including multiple rib and vertebra fractures, a broken scapula, a ruptured spleen, a closed head injury and a Thoracic 8 (T8) spinal cord injury (SCI). The T8 SCI left me without feeling or movement from my belly button down. Faith, family and friends along with an insurance policy that covered medical and rehabilitation expenses are what have made the difference for me. I have and am continuing to recover as a result of being in aggressive rehabilitation programs. I have seen individuals who have been severely injured in non-auto crashes struggle to simply get wheelchairs. Like most people I had no real understanding of these issues prior to being injured, however, now I see clearly.

For approximately the cost of a satellite radio per month (12.00 dollars) we can all rest assured that if the worst happens the one thing we won't have to worry about is medical expenses. I have been speaking for Mothers Against Drunk Driving for years, doing my best to convince offenders to stop driving drunk. I believe one of the solutions to stopping drunk driving is to toughen current penalties for first time offenders by requiring mandatory jail time and also requiring all first time offenders to blow before they go with an ignition interlock device.

Lawmakers should create a safer driving environment and save us all pain, suffering and money by focusing on prevention and stopping drunk driving on the first conviction. Currently 15 states require ignition interlocks for all convicted drunk drivers, including first time offenders. In Michigan the law is limited to first time offenders with a blood alcohol concentration of .17 or greater. Michigan's current approach on interlocks and first time offenders is not doing enough. According to the Centers for Disease Control, or CDC, when ignition interlocks are required for all convicted drunk drivers, not only do these devices reduce repeat drunk driving offenses on average by 67 percent but they also save lives.

House Bill 4936 is not a sound public policy measure and it does not solve any problems here in Michigan. House Bill 4936 makes it more difficult for those injured to acquire the necessary benefits to recover.

Mothers Against Drunk Driving urges your opposition to House Bill 4936 as this legislation will adversely hinder the rights of victims of drunk driving crashes and their families in Michigan.

Victims injured by drunk drivers didn't get to make a choice. Instead, a drunk driver chose to drive drunk and get behind the wheel when everyone knows that drunk driving is illegal and can be fatal. House Bill 4936 places the burden of drunk driving crashes on victims and their families, and most likely the taxpayer. The proposed \$250,000 cap is what I went through in the first week following the crash in which I was injured by a drunk driver. Clearly, this legislation is not good policy.

House Bill 4936 would lower the minimum personal injury protection benefits to \$250,000 from the current uncapped lifetime medical benefits available to the victims of drunk driving crashes in Michigan. Under this legislation, victims suffering catastrophic injury resulting in medical expenses higher than \$250,000 may be put at a severe disadvantage leading to financial distress that could lead to bankruptcy. This limitation could also force the victim to turn to Medicaid and Medicare or other taxpayer funded public assistance programs.

There is no guarantee that the proposed changes in this legislation will result in lower premiums for Michigan drivers. What HB 4936 guarantees is this: the rights of the victims of drunk driving crashes will be severely impacted, and in general, victims of drunk driving crashes will be put a greater disadvantage under this proposed legislation.

Mothers Against Drunk Driving respectfully urges you to oppose House Bill 4936 as this measure will cause great harm to the victims of drunk driving crashes and their families in Michigan, following a 100 percent preventable drunk driving crash.

Thank you.

About Mothers Against Drunk Driving

Founded by a mother whose daughter was killed by a drunk driver, Mothers Against Drunk Driving® (MADD) is the nation's largest nonprofit working to protect families from drunk driving and underage drinking. With the help of those who want a safer future, MADD's *Campaign to Eliminate Drunk Driving*® will end this danger on America's roads. *PowerTalk 21™* is the national day for parents to talk with their kids about alcohol, using the proven strategies of *Power of Parents, It's Your Influence™* to reduce the risk of underage drinking. And as one of the largest victim services organizations in the U.S., MADD also supports drunk driving victims and survivors at no charge, serving one person every nine minutes through local MADD victim advocates and at 1-877-MADD-HELP. Learn more at www.madd.org or call 1-877-ASK-MADD.